

Notice of Allowability

Application No.

10/725,521

Examiner

Thong Q. Nguyen

Applicant(s)

SHIRIE, NOBUYUKI

Art Unit

2872

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the amendment of 7/31/06.
2. ☒ The allowed claim(s) is/are 6-7, 11, 13, 25-27 and 28 which are renumbered as claims 1-8.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☒ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☒ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

THONG NGUYEN
PRIMARY EXAMINER

DETAILED ACTION

Response to Amendment

1. The present Office action is made in response to the amendment filed on 7/31/06. It is noted that in the amendment, applicant has amended claims 6 and 11; canceled claims 8-10, 12, 21-22 and 24; and added claims 26-28. The pending claims 6-7, 11, 13, 25-27 and 28 are examined in this Office action. Note that claims 1-5, and 23 were canceled by applicant in the amendment of 11/25/05 and claims 14-20 were canceled by applicant in the amendment of 3/14/05.

Drawings

2. New corrected drawings for figures 3 and 7 in compliance with 37 CFR 1.121(d) are required in this application because applicant has not filed a replacement sheet for each sheets contained figures 3 and 7. Applicant should note that the sheets contained figures 3 and 7 filed on 9/23/04 are annotated sheets showing changes to the figures. Applicant is advised to employ the services of a competent patent draftsman outside the Office, as the U.S. Patent and Trademark Office no longer prepares new drawings. The corrected drawings are required in reply to the Office action to avoid abandonment of the application. The requirement for corrected drawings will not be held in abeyance.

Claim Rejections - 35 USC § 103

3. The rejections of claims 6-11, 13, 21-22 and 24 under 35 U.S.C. 103(a) over the cited art are overcome by the addition of features recited in claim 12 into the independent claim 6 as set forth in the amendment of 7/31/06.

Allowable Subject Matter

4. Claims 6-7, 11, 13, 25-27 and 28 are allowed.

5. The following is an examiner's statement of reasons for allowance:

A) The taking lens unit comprises a lens barrel supporting a plurality of lens elements and a flare stopper as recited in each of present claims 6 and 26 is patentable with respect to the prior art, in particular, the U.S. Patent Nos. 4,886,342; 5,568,322; 5,420,65 and 6,392,825 by the limitations related to the structure of the flare stopper and the lens which presses and deforms the flare stopper. In particular, while the use of a stop between two lens elements or between a lens and a spacer wherein the stop has an inner opening for allowing light passing therethrough is known to one skilled in the art as can be seen in each of the mentioned Patents; however, the prior art does not disclose a combination of lens elements and a flare stopper wherein the combination has the claimed feature thereof: "the flare stopper and one of the lens elements are arranged so that one of the lens elements presses and deforms said flare stopper so that said inner periphery is inclined with respect to said optical axis of said taking lens unit" as recited on last four lines of each claims 6 and 26.

B) The taking lens unit comprises a lens barrel supporting a plurality of lens elements and a flare stopper as recited in each of present claim 25 is patentable with respect to the prior art, in particular, the U.S. Patent Nos. 4,886,342; 5,568,322; 5,420,65 and 6,392,825 by the limitations related to the structure of the flare stopper and the lens which presses and deforms the flare stopper. In particular, while the use of a stop between two lens elements or between a lens and a spacer wherein the stop has

Art Unit: 2872

an inner opening for allowing light passing therethrough is known to one skilled in the art as can be seen in each of the mentioned Patents; however, the prior art does not disclose a combination of lens elements and a flare stopper wherein the combination has the claimed feature thereof: "the flare stopper and one of the lens elements are arranged so that one of the lens elements presses and deforms...deform lens" recited on last nine lines of the claim 25.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thong Q. Nguyen whose telephone number is (571) 272-2316. The examiner can normally be reached on M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Drew A. Dunn can be reached on (571) 272-2312. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2872

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Thong Q Nguyen
Primary Examiner
Art Unit 2872
